



Fw: Watertown Draft Permit

Michelle Josilo to: William Mirabile

Cc: Jacqueline Rios, Stanley Stephansen, Jeff Gratz

Bcc: Karen OBrien

09/29/2010 03:31 PM

Hi Bill,

Thanks for allowing us some time to review your preliminary draft SPDES permit for Watertown. Jacqueline and Stan have developed some comments, which I am transmitting to you below. Please let us know if you have any questions and keep us posted on the draft permit issuance.

Michelle

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EPA REGION 2'S COMMENTS ON THE PRELIMINARY DRAFT WATERTOWN PERMIT

CSO Long Term Control Plan (LTCP) requirements:

The draft permit contains a draft LTCP submittal date of September 1, 2010. Based on your conversation with Stanley Stephansen, NYSDEC has received the LTCP, but has not had a chance to review the plan to determine if it is approvable. We would like for the permit to reflect that the September 1, 2010 date has passed and that NYSDEC must have a final, approvable LTCP asap, however we understand that the LTCP you now have may be approvable. We would encourage DEC to complete your review of the LTCP as soon as possible so that if another revision of the LTCP is needed, then language can be added accordingly which would indicate a deadline for submitting a final, approvable plan.

Pretreatment:

Footnote 2 of the PERMIT LIMITS, LEVELS AND MONITORING DEFINITIONS should explicitly clarify that the permit does not allow for the discharge of flowback water without case-by-case approval. Also, I am comfortable that as long as the flowback water is limited to 1% of the flow or less, that the total dissolved solids (TDS) water quality standard will not be exceeded. I have included my worst-case-scenario calculations for TDS in the attached spreadsheet. TDS numbers in the spreadsheet are estimated from subtraction of total suspended solids from Total Solids.



TDS.xls

Suggested language would be:

- 2 – **Total Dissolved Solids** – Flowback waters (i.e., drilling fluids from hydrofrac operations) cannot be accepted by Watertown without a case-by-case approval by NYSDEC. If flowback waters are accepted on a case-by-case basis from offsite for treatment, the monitoring frequency shall increase to 3/day for the period that such wastewaters are being treated at the treatment facility. Hydraulic retention time shall be taken into consideration when determining treatment periods. Results of increased monitoring due to the treatment of drilling fluids shall be appended to the DMR for the month that treatment occurs. Watertown cannot accept flowback water flow rates of greater than 1% of the daily average flow for treatment on a daily basis without prior approval by EPA

Region 2 based on a headworks analysis performed in accordance with 40 C.F.R. 403.5 that demonstrates that the discharges will not cause pass through or interference.

Alternatively, the limitation on flowback water can be included in the pretreatment requirements.

Under the section on "PRETREATMENT PROGRAM IMPLEMENTATION REQUIREMENTS", A(4) reads:

4. Program Submission(s) - requests for approval or modification of the POTW Pretreatment Program submitted in accordance with 40 CFR 403.11 or 403.18 and approved by letter dated September 10, 1994.

EPA approved Watertown's program in a letter dated September 28, 1984 and has approved revisions to the program in letters dated November 10, 1999 and December 2, 2008.

NYSDEC should revise the program submission to read:

4. Program Submission(s) - requests for approval or modification of the POTW Pretreatment Program approved by letters dated September 28, 1984, November 10, 1999, and December 2, 2008 and submitted in accordance with 40 CFR 403.11 or 403.18.

The Municipal Fact Sheet section on Pretreatment Program Implementation should also be revised to reflect the dates of EPA's approval of the program and revisions. Also, the permit basis for TDS is likely Water Quality (WQ) since the requirement to monitor for TDS is based on a concern over pass through and exceedances of water quality standards and not on a technology based limit (required for BPJ).

Whole Effluent Toxicity (WET):

For Footnote 5 on WET testing, the "if necessary" should be removed (see below language from footnote 5 of the monitoring section of the permit) since Watertown is required to do both acute and chronic WET testing. This should help to avoid confusion.

5 - Whole Effluent Toxicity (WET) Testing:

Testing Requirements - WET testing shall consist of Acute and if necessary Chronic. WET testing shall be performed in accordance with 40 CFR Part 136 and TOGS 1.3.2 unless prior written approval has been obtained from the Department. The test species shall be *Ceriodaphnia dubia* (water flea - invertebrate) and *Pimephales promelas* (fathead minnow - vertebrate). Receiving water collected upstream from the discharge should be used for dilution. All tests conducted should be static-renewal (two 24-hr composite samples with one renewal for Acute tests and three 24-hr composite samples with two renewals for Chronic tests). Effluent test water shall be obtained by collecting flow-weighted samples from both Outfall 002 and 02A and combining. The appropriate dilution series bracketing the IWC and including one exposure group of 100% effluent should be used to generate a definitive test endpoint, otherwise an immediate rerun of the test is required. WET testing shall be coordinated with the monitoring of chemical and physical parameters limited by this permit so that the resulting analyses are also representative of the sample used for WET testing. The ratio of critical receiving water flow to discharge flow (i.e. dilution ratio) is 17:1 for Acute, and 34:1 for Chronic. Discharges which are disinfected using chlorine should be dechlorinated prior to WET testing or samples shall be taken immediately prior to the chlorination system.